

MARK E. CRANE, PLLC

Attorneys At Law
950 West University Drive, Suite 102
Rochester, MI 48307

(248) 656-9600

Fax (248) 656-9603

MARK E. CRANE
RYAN M. O'NEIL
KATHERINE E. LIONAS

mec@markcranelaw.com
rmo@markcranelaw.com
kel@markcranelaw.com

January 13, 2012

Mr. Corbin R. Davis
Clerk, Michigan Supreme Court
P.O. Box 30052
Lansing, MI 48909

RE: ADM 2010-22 and MRPC 7.3

Dear Mr. Davis:

We are writing to voice our support of ADM 2010-22. "Trolling," as a method of soliciting clients, not only degrades our profession but also poses real dangers to parties involved in domestic relations cases. While this proposed amendment to the rule applies only to family law cases, we believe that adoption of the proposed change would serve the interests of our profession as a whole.

The practice of family law requires attorneys to engage in precise and technical applications of the law in situations often involving individuals who find themselves wrought with emotional despair and confusion. As a result, every single detail of a family law case, including decisions relating to when and how to effect service of the initial divorce pleadings, requires due care and consideration.

When attorneys scour new family law filings hoping to locate new clients, it reflects poorly upon our profession as a whole. Anyone who has ever seen the brochures, pamphlets, or letters that these attorneys send out can attest that they often constitute "fear mongering" in its most base form. These solicitations are littered with misconceptions and try to create panic on the part of the party receiving them.

Additionally, there is, of course, often an unintended consequence when attorneys engage in trolling. Specifically, there is a risk that a divorce defendant, in a case involving abuse or volatility, will become so enraged upon learning that his or her spouse has filed for divorce that he or she may become violent. Most family law attorneys have heard horror stories involving individuals who, having learned of a pending divorce action as a result of solicitations sent by one or more trolling attorneys, then proceed to physically harm the filing spouse prior to service of the initial divorce

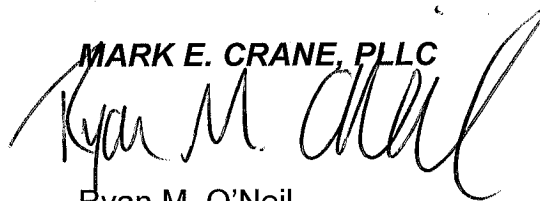
pleadings. Fortunately, neither of us has thus far had to personally deal with this type of tragedy, but we are constantly mindful that it could happen. As a result, we, along with many of our colleagues, typically warn clients of the existence of trolling attorneys and often need to adjust our approach to the initial filing and service of divorce pleadings based solely upon concerns regarding what might happen if a divorce defendant receives a trolling letter.

There have been several murder-suicides in recent weeks involving parties to pending divorce actions. Indeed, one such tragedy occurred just three days ago. Although the events that took place in Bloomfield Township on January 10, 2012 were not a product or result of trolling, that tragedy, and other similar tragedies in recent weeks, illustrate just how volatile and emotionally unstable people can become in the midst of divorce.

This amendment needs to be adopted. It not only serves to protect the integrity of our profession as a whole, but it also prevents domestic relations "ambulance chasers" from turning an already tense situation into an explosive situation. It would be a tragedy for a domestic violence victim, having sought the aid and assistance of our legal system in order to escape an abusive relationship, to then be harmed as a result of the actions of attorneys who employ bottom-feeding as a marketing strategy.

Very Truly Yours,

MARK E. CRANE, PLLC

A handwritten signature in black ink, appearing to read "Ryan M. O'Neil", written over the printed name.

Ryan M. O'Neil

A handwritten signature in black ink, appearing to read "Mark E. Crane", written over the printed name.

Mark E. Crane